

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN

LUIS FERNANDO MAZARIEGOS,

Petitioner,

v.

Case No. 07-C-319

ROBERT HUMPHREYS,

Respondent.

ORDER

On April 4, 2007, Luis Mazariegos filed this petition pursuant to 28 U.S.C. § 2254, asserting that his state court conviction and sentence were imposed in violation of the Constitution. The petition states claims for ineffective assistance of counsel and involuntariness of a guilty plea. Petitioner has now filed a “motion to amend” the petition. The motion attaches evidence of ineffective assistance and makes allegations against petitioner’s trial counsel. In other words, the motion does not seek to amend new claims but to provide evidence of the claims already brought. As such, the motion appears to be a brief in support of the petition rather than a “motion to amend” the petition. Under the schedule set forth in this court’s Rule 4 order, petitioner may provide additional arguments to support his claims in the form of briefs. If petitioner does not make any additional filings, I will consider his “motion to amend” to be his brief. But because it does not seek to amend the petition, the motion is **DENIED**.

SO ORDERED this 20th day of April, 2007.

s/ William C. Griesbach
William C. Griesbach
United States District Judge